



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
DARRELL V. MCGRAW, JR.
CONSUMER PROTECTION DIVISION
1-800-368-8808 or 304-558-8986

Press Release

May 6, 2002

FOR IMMEDIATE RELEASE CONTACT: CHRISTOPHER HEDGES
1-800-368-8808
304-558-8986

ATTORNEY GENERAL DARRELL V. MCGRAW, JR., FILES
SEVENTH CONTEMPT PETITION AGAINST
APPLIANCE SELLER DON MULLINS FOR HIS
WILLFUL, REPEATED VIOLATIONS OF COURT ORDERS

Attorney General Darrell V. McGraw Jr. has filed a petition in Kanawha County Circuit Court today, asserting that Donald L. Mullins of Dunbar has again violated a court order. Early last year, the Attorney General's Consumer Protection Division received information that Mullins had begun selling used appliances, despite numerous court orders barring him from the practice. Attorney General McGraw took Mullins to court, where Judge Irene C. Berger found Mullins in contempt of court, and ordered him jailed until such time as he paid \$25,000 in civil penalties and \$2,800 in restitution to consumers.

In 1991, the Attorney General began to receive numerous complaints alleging that Mr. Mullins had been selling used washers, dryers, refrigerators, and other appliances to consumers, despite his knowledge that the appliances did not work. Because there were so many complaints, the Attorney General obtained a court order forever banning Mullins from selling used appliances. The Attorney General's Consumer Protection Division has taken Mr. Mullins back to court on several occasions because he has continued to sell used appliances. Each time, Mullins was warned that he would face jail time if he disobeyed the court again. Mullins was finally jailed by Judge Berger in the fall of 1995, and ordered to pay a \$12,000 fine.

As a result of the latest contempt proceedings last year, Mullins was jailed again, this time for over seven months. Finally, Mullins paid the \$2,800 he owed in consumer restitution, and in December of 2001 he was released on the condition that he make monthly payments of \$200 to the Attorney General, until his \$25,000 debt was satisfied.

In the petition filed today, Attorney General McGraw asserts that Mullins paid his first installment in January, 2002, but was several days late in making the payment. Thereafter, Mullins was not heard from again. To date, Mullins has paid nothing for the months of February, March, April, or May 2002.

Attorney General McGraw's petition asks the court to find Mullins in contempt again, and to incarcerate him until such time as he pays the remainder of his \$25,000 debt in civil penalties, and all court costs.

###